

**PENDLETON COUNTY FISCAL COURT**  
**September Term, September 23<sup>rd</sup>, 2008**

COURT MET PURSUANT TO ADJOURNMENT  
With  
HONORABLE HENRY BERTRAM, COUNTY JUDGE/EXECUTIVE  
Presiding

---

MEMBERS PRESENT: Bobby Fogel, Gary Veirs, Stacey Wells, Alan Whaley

MEMBERS ABSENT: None

COUNTY ATTORNEY: Jeff Dean

Invocation was given by County Attorney Jeff Dean, Pledge Allegiance lead by Judge Bertram.

**In Re: Agenda**

Judge Bertram presented the agenda for this meeting and ask that it be amended to include item 8A, driveway on Boss Dunaway and item 18A. Sheriff’s transport officers Court Order. Whereupon Squire Veirs made a motion to accept the agenda as amended, seconded by Squire Whaley, motion carried.

**In Re: Approval of Minutes**

Fiscal Court Clerk, Vicky King, presented minutes of the September 9<sup>th</sup>, 2008 regular scheduled meeting and the September 11, 2008 special called meeting to the court. Squire Wells made a motion to accept the minutes as presented, seconded by Squire Veirs, motion carried.

**In Re: Approval of Treasurers Report**

Pendleton County Treasurer, Vicky King, submitted a written report for the month of August 2008 at the regular Fiscal Court Meeting of September 9<sup>th</sup>, 2008. Discussion was held. Squire Wells made a motion to accept the Treasurer’s report as presented, seconded by Squire Whaley, motion carried.

**In Re: KACo Accreditation Check Presentation**

Kentucky Association of Counties Liability Insurance Representative, Brian Roy, honored Sheriff Craig Peoples for his continued good work in securing and maintaining state accreditation for his department. Mr. Roy presented a liability insurance refund or discount check to Judge Bertram and the Fiscal Court based on the high level of training obtained by the county sheriff department. Sheriff Peoples was present and explained that the refund money would be used to purchase patrol rifles for his department. Sheriff peoples also thanked KACo and the Fiscal Court for their support.

**In Re: Recognize Dispatchers**

Judge Bertram presented 911 dispatchers, Danielle King and Donna Hobbs, with Certificates of Outstanding Recognition for the high academic achievement as students in the Department of Justice’s telecommunication training. No action taken.



# Outstanding Recognition

presented by

**The Judge/Executive and Magistrates  
of Pendleton County**

to

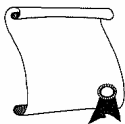
***Danielle King***

*for*

Outstanding Accomplishment While Engaged in the  
175 Hour Telecommunications Basic Training  
Academy Class # 59 offered by the Kentucky Justice  
Cabinet's Department of Criminal Justice Training  
and Furthermore for Achieving a Grade Point  
Average of 93.6, Including Perfect Scores in Two  
Different Sections, which led to the Department of  
Criminal Justice Issuing a Certificate of Graduation  
Signifying a Highly Trained 911 Telecommunicator  
for the County

Done in Pendleton County, Kentucky  
this twenty third day of September, in the  
year of our Lord two thousand and eight

Henry W. Bertram  
Pendleton County Judge/Executive



# Outstanding Recognition

presented by

**The Judge/Executive and Magistrates  
of Pendleton County**

to

***Donna Hobbs***

*for*

Outstanding Accomplishment While Engaged in the  
175 Hour Telecommunications Basic Training  
Academy Class # 59 offered by the Kentucky Justice  
Cabinet's Department of Criminal Justice Training  
and Furthermore for Achieving a Grade Point  
Average of 92 which led to the Department of  
Criminal Justice Issuing a Certificate of Graduation  
Signifying a Highly Trained 911 Telecommunicator  
for the County

Done in Pendleton County, Kentucky  
this twenty third day of September, in the  
year of our Lord two thousand and eight

Henry W. Bertram  
Pendleton County Judge/Executive

**In Re: Drive Way on Boss Dunaway**

Mike and Natasha Rhoton came before the Fiscal Court to ask for a waiver to allow them to put a driveway from their property onto Boss Dunaway Road. Trees on their property do not allow for a clear line of sight when entering or exiting their property. Squire Veirs made a motion to allow the construction of a driveway on the property upon obtaining a waiver that will be filed against their deed in the County Clerk’s office list pendence book, waiving all county liability regarding this ingress/egress, seconded by Squire Whaley, motion carried.

**In Re: Second reading of an Ordinance Amending the Zoning Ordinance to Better Clarify Mining Operations in the County.**

County Attorney Jeff Dean read in summary form the Ordinance amending the Zoning Ordinance known as Ordinance 920.0 relating to the regulation of mining and underground mining in Pendleton County. Discussion was held, the Last line of the summary will be changed to read: This Ordinance will become effective upon final publication on September 30, 2008. Squire Fogle made a motion to accept the Summary as read, seconded by Squire Wells, motion carried.

**SUMMARY  
OF  
ORDINANCE  
OF  
THE FISCAL COURT OF PENDLETON COUNTY  
COMMONWEALTH OF KENTUCKY  
ORDINANCE NO. 920.0A**

**AN ORDINANCE** amending the zoning ordinance known as Ordinance 920.0 relating to the regulation of mining and underground mining in Pendleton County.

**BE IT ORDAINED** by the Fiscal Court of the County of Pendleton, Commonwealth of Kentucky that the text of the Zoning Ordinance No. 920.0 be amended as follows: addressing mining and underground mining in Pendleton County, including changing the definitions of mining and underground mining, changing zones permitting mining and underground mining, changing permit procedures and requirements for mining and underground mining, and addressing noise from mines and mining operations.

Unchanged in the Ordinance is Article 11 which imposes penalties for violation of the zoning ordinance in accordance with KRS 100.991, providing that violation of the zoning ordinance is a class B misdemeanor, and each day of violation is a separate offense.

Provision for summary reading and publication is made as follows:

This Ordinance received first read on September 9, 2008 and is published in summary form, the full text being available for public inspection in the office of the County Judge-Executive and/or the County Clerk. A second reading will be held at a regularly scheduled fiscal court meeting at 7:00 PM on September 23, 2008 in the courthouse community room, 233 Main Street, Falmouth, Kentucky. Public Invited. This ordinance will become effective upon final publication on September 28, 2008.

Dated this 23rd day of September, 2008.

\_\_\_\_\_  
HENRY W. BERTRAM  
Pendleton County Judge-Executive

Attest: \_\_\_\_\_  
Vicky King  
Fiscal Court Clerk

ORDINANCE  
OF  
THE FISCAL COURT OF PENDLETON COUNTY  
COMMONWEALTH OF KENTUCKY  
ORDINANCE NO. 920.0A

AN ORDINANCE amending the zoning ordinance known as Ordinance 920.0 relating to the regulation of mining and underground mining in Pendleton County.

BE IT ORDAINED by the Fiscal Court of the County of Pendleton, Commonwealth of Kentucky that the text of the Zoning Ordinance No. 920.0 be amended as follows (Words to be added are underlined. Words to be deleted are lined through):

AMENDMENT ONE:

SECTION 6.4 EXCAVATION, MOVEMENT OF SOIL, TREE REMOVAL, AND EROSION AND SEDIMENTATION CONTROL

- A. Except for Agricultural use, Mining use, Underground Mining use, and use as a Sanitary Landfill in accordance with proper permits issued by the Commonwealth of Kentucky and operated in accordance with Section 6.18 of this Ordinance, no person or entity shall undertake grading (as defined below for use in this Section alone and Section 11.1, A., of this Ordinance), without first insuring that all requirements of this Ordinance have been fulfilled and then obtaining a permit from the Zoning Administrator. The primary purpose of this permit requirement is to engage a builder or developer early in the project of their need to come into compliance with this Ordinance and alert the Zoning Administrator of a planned project. "Grading" as used in this Section shall be defined as stripping, excavating, filling, or otherwise moving soil, trees, or other vegetation of a parcel of land for the purpose of preparing the lot for development of the property or construction of buildings or structures, excluding minor changes such as: the filling of small depressions, removal of vegetation which is diseased or endangering the public safety, or minor earth moving projects for drainage improvement, lawn maintenance or beautification.

AMENDMENT TWO:

SECTION 6.8 NONCONFORMING LOTS, NONCONFORMING USES, NONCONFORMING STRUCTURES, REPAIRS AND MAINTENANCE:

...

- D. REPAIRS AND MAINTENANCE: On any building devoted in whole, or in part, to any nonconforming use, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided that the

PCJPC zoning ordinance mining amendments (4)-1

cubic content of the building, as it existed at the time of passage or amendment of this Ordinance which rendered it nonconforming, shall not be increased. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring, to a safe condition, of any building, structure, or part thereof, declared to be unsafe by any official charged with protecting the public health and safety or the construction or expansion of any building or structure required to comply with a law, regulations, order or directive of the state or federal government.

- E. VESTED RIGHTS: Nothing in this Ordinance shall be deemed to prevent the lawful use of land or the construction or expansion of any building or structure where prior to the enactment of this Ordinance the property owner has in good faith substantially entered upon the performance of the series of acts necessary to the accomplishments of the end intended.

AMENDMENT THREE:

SECTION 6.9 EXCEPTIONS TO HEIGHT LIMITS: The height limitations of this Ordinance shall not apply to such things as church spires, various types of towers, stacks, other related structures, and necessary mechanical appurtenances, etc., or mining related buildings or structures, provided their construction is in accordance with existing or hereafter adopted ordinances of the legislative body, and is approved, when required, by the Federal Aviation Agency and the Federal Communication Commission, or state or federal regulatory agencies, if applicable.

AMENDMENT FOUR:

SECTION 7.0 RURAL (R) ZONE:

...

B. PERMITTED USES:

1. Single family, two family and multi-family dwelling units.
2. Farms of crops and livestock.
3. Hunting.
4. Riding and boarding stables.
5. Bed and Breakfast facilities, as regulated by Section 6.19 of this Ordinance.
6. Churches and other buildings for the purpose of religious worship.
7. Underground Mining.

...

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking of two spaces for every dwelling unit shall be provided, and such additional spaces reasonably calculated to provide for the regular use of the property, or as otherwise required by this Ordinance.

PCJPC zoning ordinance mining amendments (4)-1

- 2. No lighting shall be permitted which would glare onto any street.
- 3. Land used solely for agricultural purposes shall have a front yard depth of a minimum of fifty (50) feet, from any existing or proposed street or highway.
- 4. ~~Any ventilation shafts, utilities, and related structures and equipment associated with underground mining shall be set back a minimum of one hundred (100) feet from any dwelling or other structure.~~
- 5. ~~Noise from ventilation shafts and utilities related to underground mining shall be controlled by reasonably available controlled technology.~~

AMENDMENT FIVE:

SECTION 7.2 BUSINESS (B) ZONE:

...

B. PERMITTED USES: The following uses are permitted in the Business Zone (except that Scrap Metal facilities, Salvage Yards, Material Recycling, and Landfills shall be specifically excluded from this Zone):

- 1. All commercial retail and service uses, including stores and shops.
- 2. All industrial uses, including manufacturing, processing and assembly.
- 3. All office uses.
- 4. Billboards.
- 5. Schools, government buildings, police and fire stations, libraries.
- 6. Community centers, including day care facilities.
- 7. Commercial recreation facilities.
- 8. Churches and other buildings for the purpose of religious worship.
- 9. All uses listed as conditional uses in the Rural Zone.
- 10. Underground Mining.

...

F. OTHER DEVELOPMENT CONTROLS:

- 1. Off-street parking as regulated by Article 8.
- 2. No lighting shall be permitted which would glare onto any street or any adjacent property.
- 3. Except as otherwise permitted herein, no outdoor storage of any materials, supplies, or products shall be permitted in this zone.
- 4. All business activities permitted within this zone shall be conducted within a completely enclosed building, with the exception of recreational activities.
- 5. No use producing emissions or that otherwise impacts ambient air quality beyond the boundary lines of the property not otherwise allowed by existing federal, state or local regulations shall be permitted.
- 6. Off Street loading and unloading area as regulated by Article 9.
- 7. All business operations shall be screened from adjacent residential uses.

- 8. ~~Any ventilation shafts, utilities, and related structures and equipment associated with underground mining shall be set back a minimum of one hundred (100) feet from any dwelling or other structure.~~

AMENDMENT SIX:

SECTION 7.3 INTENSIVE (I) ZONE:

...

B. PERMITTED USES:

- 1. All commercial retail and service uses, including stores and shops.
- 2. All industrial uses, including manufacturing, processing and assembly.
- 3. All office uses.
- 4. Billboards.
- 5. Schools, government buildings, police and fire stations, libraries.
- 6. Community centers, including day care facilities.
- 7. Commercial recreation facilities.
- 8. Churches and other buildings for the purpose of religious worship.
- 9. All uses listed as conditional uses in the Rural Zone and Business Zone.
- 10. Scrap Metal facilities, Salvage Yards, Material Recycling, and Landfills existing at the adoption of this Ordinance.
- 11. Mining and Underground Mining.

AMENDMENT SEVEN:

SECTION 15.0 WORDS AND PHRASES: For the purposes of this Ordinance, certain terms, phrases, words, and their derivatives are herewith defined as follows:

**MINING:** Mining includes the development, drilling, blasting, extraction, severing, milling, crushing, screening, conveying, sizing, washing and processing of minerals, limestone, sand, gravel, coal, and other materials; operation maintenance and repair of mining and processing equipment and facilities; transportation of materials within, to and from the mine property; processing, manufacturing, and production of products, byproducts, waste and other materials, including lime, lime products, and stone products; dredging; filling; grading; paving; research, development, and analysis; purchase and sale of materials; and storage and disposal, on the surface and underground, of products, byproducts, waste, and other materials generated at the mine property or generated by any source at any other location.

**UNDERGROUND MINING:** Underground Mining is Mining where all of the Mining activity is conducted three hundred (300) feet or more below the natural contour of the surface of the property except for ventilation shafts, utilities, and related structures to ventilation shafts and utilities, including fences, on or leading to the surface.

Unchanged in the Ordinance is Article 11 which imposes penalties for violation of the zoning ordinance in accordance with KRS 100.991, providing that violation of the zoning ordinance is a class B misdemeanor, and each day of violation is a separate offense.

This Ordinance received first read on \_\_\_\_\_, 2008 and will be published in summary form, the full text being available for public inspection in the office of the County Judge-Executive and/or the County Clerk. A second reading will be held at a regularly scheduled fiscal court meeting at 7:00 PM on \_\_\_\_\_, 2008 in the courthouse community room, 233 Main Street, Falmouth, Kentucky. Public Invited.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
HENRY W. BERTRAM  
Pendleton County Judge-Executive

**Publish** \_\_\_\_\_

**In Re: Water and Sewer Grants**

Judge Bertram ask for a motion to approve Bill Mitchell as county administrator of Water and Sewer grant projects within Pendleton County. Squire Wells made a motion to approve Bill Mitchell as administrator of these projects, seconded by Squire Fogle, motion carried.



KENTUCKY INFRASTRUCTURE AUTHORITY

Steven L. Beshear  
Governor

1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601  
Phone (502) 573-0260  
Fax (502) 573-0157  
<http://kia.ky.gov>

John E. Covington III  
Executive Director

September 11, 2008

The Honorable Henry W. Bertram, County Judge Executive  
Pendleton County Fiscal Court  
Pendleton County Courthouse  
Falmouth, KY 41040

RE: Pendleton County Fiscal Court - Water Projects Phase I (WX21191507)  
Grant Award in the amount of **\$450,000**

Dear Judge Bertram:

Congratulations on the grant listed above from Governor Steven L. Beshear and the General Assembly of the Commonwealth of Kentucky awarded during the 2008 Legislative Session of the General Assembly. The Kentucky Infrastructure Authority ("the Authority") is pleased to have been designated as the agency for administration of these infrastructure project grants.

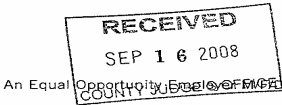
**Our agency is initiating the grant process. Projects will be prioritized for funding based upon environmental enforcement actions, current project status and anticipated construction timelines. Once the initial round of funding is complete, the Authority will notify grantees of their anticipated funding schedules for the remaining projects.**

You can now begin the grant process in preparation for when grant funds are available in order to expedite the process. Funds cannot be released until your project meets all grant requirements. The project must be reviewed by the Capital Projects and Bond Oversight Committee and have a fully executed grant assistance agreement. Detailed project requirements are outlined in the grant assistance agreement that will be provided to your project administrator.

**Please designate your project administrator and provide project information on Exhibit 1.** The project administrator will work with the Authority and be responsible for completion of all of the grant documentation and requirements. Your project administrator will be responsible for coordinating proper procurement of all necessary contracts and for completing all requirements of the grant. Please be assured that you will be copied on all essential correspondence and consulted on all decisions regarding your grant.

**Your grant funds must be used for the project as identified in the 2008-2010 Budget of the Commonwealth and as listed above.** If your grant award is not linked to a project profile with a WX or SX number, it is critical that you work with your Area Water Management Council through your Area Development District to get a project number designated. Grant assistance agreements will not be forwarded to the project administrator until we receive your project's SX or WX number as identified in **Exhibit 2**.

KentuckyUnbridledSpirit.com



The Honorable Henry W. Bertram  
September 11, 2008  
Page 2

Once we receive your designation for project administrator, we will contact that person regarding the next step in completing requirements for receipt of your grant funds.

Again, we are pleased to be a part of this important effort to improve infrastructure for citizens throughout the Commonwealth. We pledge our full cooperation and look forward to working with you and your project administrator in the coming months. If you have any questions please contact John Herald at (502) 573-0260.

Sincerely,

John E. Covington, III  
Executive Director

Attachments

c: Water Management Council Chair  
Water Service Coordinator

EXHIBIT 1

Pendleton County Fiscal Court - Water Projects Phase I (WX21191507)  
\$450,000  
354N-2008

DESIGNATION OF PROJECT ADMINISTRATOR  
(Please print or type)

Name: \_\_\_\_\_

Company or Organization: \_\_\_\_\_

Address: \_\_\_\_\_

P.O. Box: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone (include area code): \_\_\_\_\_

Fax (include area code): \_\_\_\_\_

E-mail (please print large): \_\_\_\_\_

WX/SX NUMBER: \_\_\_\_\_

ENVIRONMENTAL ENFORCEMENT: \_\_\_\_\_  
(Please provide copy of Notice)

Anticipated Bid Date: \_\_\_\_\_

Anticipated Construction Start Date: \_\_\_\_\_

ATTACH ESTIMATED DRAW SCHEDULE \_\_\_\_\_

If you have more than one project designated to receive funds from this grant award, please copy this page and fill out one page for each project, even if the same person will be designated project administrator for each project.

Project Administrator

Project administration is an extremely important element of any successful infrastructure project. The Project Administrator will be responsible for assisting the Grantee with procurement of all necessary services and gathering, collating, and presenting all appropriate information necessary for complete project documentation. This individual will serve as the communications link between members of the Project Team and as the principal point of contact for state agencies. This individual will be responsible for keeping all members of the local Project Team on task, setting up and maintaining project files, securing additional resources, and for trouble-shooting whenever necessary. Other duties to be performed by the Project Administrator may include: documenting Project Team meetings; conducting and maintaining records of public meetings; preparing the Environmental Assessment; organizing the effort to secure easements and rights of way; and providing necessary clerical and support services as required.

The services performed by a Project Administrator are professional in nature and must be assigned by the Project Owner/Grantee to a qualified staff person with appropriate time to dedicate to the position or to an individual who specializes in this service. Most often these responsibilities are entrusted to a qualified individual secured either through the standard procurement process pursuant to KRS 45A or through an Area Development District.  
Reference: *Procedures Manual for Funding Water/Wastewater Projects 2006*  
(<http://wris.state.ky.us/kia/>)

Complete and mail or fax to:  
Kentucky Infrastructure Authority  
1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601  
Phone: 502-573-0260  
Fax: 502-573-0157

EXHIBIT 2

Pendleton County Fiscal Court - Water Projects Phase I (WX21191507)  
\$450,000  
354N-2008

DESIGNATION OF PROJECT NUMBER  
(Please print or type)

Please check the correct box and fill in the appropriate information:

☐ My grant award will be used for one project. The WX or SX number is listed below.  
WX/SX NUMBER: \_\_\_\_\_

☐ My grant award will be used for one project. The WX or SX number has not yet been identified. The project administrator will be responsible for submitting this information to KIA after coordinating with the Area Water Management Council.

☐ My grant award will be used for more than one project. The WX or SX numbers are listed below.

WX/SX NUMBER: _____	Grant \$ Allocated: _____
WX/SX NUMBER: _____	Grant \$ Allocated: _____
WX/SX NUMBER: _____	Grant \$ Allocated: _____
WX/SX NUMBER: _____	Grant \$ Allocated: _____

☐ My grant award will be used for more than one project. If any WX or SX number(s) have been identified, they are listed below. The WX or SX number(s) that have not yet been identified will be provided to KIA by the project administrator after coordinating with the Area Water Management Council.

WX/SX NUMBER: _____	Grant \$ Allocated: _____
WX/SX NUMBER: _____	Grant \$ Allocated: _____

Remaining Grant Unallocated to Project(s): \_\_\_\_\_

☐ Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Complete and mail or fax to:  
Kentucky Infrastructure Authority  
1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601  
Phone: 502-573-0260  
Fax: 502-573-0157





KENTUCKY INFRASTRUCTURE AUTHORITY

Steven L. Beshear  
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<http://kia.ky.gov>

John E. Covington III  
Executive Director

September 11, 2008

The Honorable Henry W. Bertram, County Judge Executive  
Pendleton County Fiscal Court  
Pendleton County Courthouse  
Falmouth, KY 41040

RE: Pendleton County Fiscal Court - Northern Pendleton County Regional Wastewater  
Treatment Plant (SX21191311)  
Grant Award in the amount of **\$1,025,000**

Dear Judge Bertram:

Congratulations on the grant listed above from Governor Steven L. Beshear and the General Assembly of the Commonwealth of Kentucky awarded during the 2008 Legislative Session of the General Assembly. The Kentucky Infrastructure Authority ("the Authority") is pleased to have been designated as the agency for administration of these infrastructure project grants.

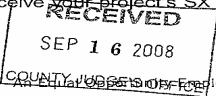
**Our agency is initiating the grant process. Projects will be prioritized for funding based upon environmental enforcement actions, current project status and anticipated construction timelines. Once the initial round of funding is complete, the Authority will notify grantees of their anticipated funding schedules for the remaining projects.**

You can now begin the grant process in preparation for when grant funds are available in order to expedite the process. Funds cannot be released until your project meets all grant requirements. The project must be reviewed by the Capital Projects and Bond Oversight Committee and have a fully executed grant assistance agreement. Detailed project requirements are outlined in the grant assistance agreement that will be provided to your project administrator.

**Please designate your project administrator and provide project information on Exhibit 1.** The project administrator will work with the Authority and be responsible for completion of all of the grant documentation and requirements. Your project administrator will be responsible for coordinating proper procurement of all necessary contracts and for completing all requirements of the grant. Please be assured that you will be copied on all essential correspondence and consulted on all decisions regarding your grant.

**Your grant funds must be used for the project as identified in the 2008-2010 Budget of the Commonwealth and as listed above.** If your grant award is not linked to a project profile with a WX or SX number, it is critical that you work with your Area Water Management Council through your Area Development District to get a project number designated. Grant assistance agreements will not be forwarded to the project administrator until we receive your project's SX or WX number as identified in **Exhibit 2**.

KentuckyUnbridledSpirit.com



The Honorable Henry W. Bertram  
September 11, 2008  
Page 2

Once we receive your designation for project administrator, we will contact that person regarding the next step in completing requirements for receipt of your grant funds.

Again, we are pleased to be a part of this important effort to improve infrastructure for citizens throughout the Commonwealth. We pledge our full cooperation and look forward to working with you and your project administrator in the coming months. If you have any questions please contact John Herald at (502) 573-0260.

Sincerely,

John E. Covington, III  
Executive Director

Attachments

c: Water Management Council Chair  
Water Service Coordinator

EXHIBIT 2

Pendleton County Fiscal Court - Northern Pendleton County Regional Wastewater Treatment Plant (SX21191311)  
\$1,025,000  
353N-2008

DESIGNATION OF PROJECT NUMBER  
(Please print or type)

Please check the correct box and fill in the appropriate information:

☐ My grant award will be used for one project. The WX or SX number is listed below.

WX/SX NUMBER: \_\_\_\_\_

☐ My grant award will be used for one project. The WX or SX number has not yet been identified. The project administrator will be responsible for submitting this information to KIA after coordinating with the Area Water Management Council.

☐ My grant award will be used for more than one project. The WX or SX numbers are listed below.

WX/SX NUMBER: \_\_\_\_\_

Grant \$ Allocated: \_\_\_\_\_

WX/SX NUMBER: \_\_\_\_\_

Grant \$ Allocated: \_\_\_\_\_

WX/SX NUMBER: \_\_\_\_\_

Grant \$ Allocated: \_\_\_\_\_

WX/SX NUMBER: \_\_\_\_\_

Grant \$ Allocated: \_\_\_\_\_

☐ My grant award will be used for more than one project. If any WX or SX number(s) have been identified, they are listed below. The WX or SX number(s) that have not yet been identified will be provided to KIA by the project administrator after coordinating with the Area Water Management Council.

WX/SX NUMBER: \_\_\_\_\_

Grant \$ Allocated: \_\_\_\_\_

WX/SX NUMBER: \_\_\_\_\_

Grant \$ Allocated: \_\_\_\_\_

Remaining Grant Unallocated to Project(s): \_\_\_\_\_

☐ Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Complete and mail or fax to:  
Kentucky Infrastructure Authority  
1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601  
Phone: 502-573-0260  
Fax: 502-573-0157

In Re: Appointment of Susan Maier to The NKADD Board

Squire Whaley made a motion to reappoint Susan Maier to serve as county appointment to the Northern Kentucky Area Development District Board, seconded by Squire Veirs, motion carried.



NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT  
22 SPIRAL DRIVE / FLORENCE, KENTUCKY 41042  
PHONE (859) 283-1885 / FAX (859) 283-8178 / TDD (859) 282-2707  
www.nkadd.org

John Mays, Executive Director

September 10, 2008

Judge Henry Bertram  
Pendleton County Judge/Executive  
Pendleton County Courthouse  
Falmouth, KY 41040

Dear Judge Bertram:

Please be advised that the term of Susan Maier as citizen representative from Pendleton County expire at the end of this month, September 2008. The NKADD By-laws designate that citizen members fill three-year terms starting in September and that they be nominated to the Board by the respective County Judge/Executive in consultation with any other elected NKADD Board members from that county.

Current Board members may be re-nominated and their experience and leadership over the years as part of the NKADD should be given serious consideration. A new member with a commitment to serving on a Board of Directors such as the NKADD is equally welcome.

In order to start the new terms next month, it would be appreciated if your nomination could be received by Monday, September 29th. Nominations will be considered by the full Board at its next scheduled meeting.

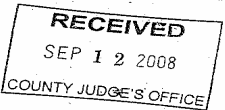
If you have any questions about this matter, please do not hesitate to contact me.

Sincerely,

John Mays  
Executive Director

JM/dmg

cc: Susan Maier



**In Re: Appointment to Williamstown Lake Committee**

Squire Veirs made a motion to appointment Mark Ross to the Williamstown Lake Committee to fulfill the term of Ed McCandless, deceased, seconded by Squire Fogle, motion carried with Squire Whaley abstaining from the vote due to relationship to Mr. Ross.

**In Re: Athletic Park Vandalism**

Judge Bertram reported on vandalism at the athletic park. The soft drink machines had been vandalized causing extension damage. This was for information only, no action taken.

**In Re: Appointment of East Pendleton Water District Commissioner**

Squire Whaley made a motion to approve East Pendleton Water District board's recommendation of David Pribble to replace Board member Ralph Nordheim, deceased, seconded by Squire Veirs, motion carried.

EAST PENDLETON CO. WATER DISTRICT  
601 Woodson Road P.O. Box 29  
Falmouth, KY 41040  
(859) 654-2100 Fax: (859) 654-3144

September 15, 2008

Honorable Judge Executive Henry Bertram  
Pendleton County Magistrates  
Pendleton County Courthouse  
Falmouth, KY 41040

Dear Honorable Judge Executive Bertram and Magistrates:

The East Pendleton Water Commissioners, Leslie Herbst, Chairman, and William Thompson, Secretary would like to request David Pribble to be appointed as Commissioner of the Water District. David served as commissioner in the past and is familiar with how a water district is operated.

As alternates to this decision, the Board requests Bill Flaughner as second choice and Terry Logan as third choice.

Your consideration in our choices is greatly appreciated.

Sincerely,

Leslie Herbst, Chairman

William Thompson, Secretary

**In Re: Resolution concerning Hazardous Duty Retirement**

Judge Bertram presented the court with a resolution to re-certify the Sheriff and Deputies as hazardous duty positions with the Kentucky Retirement Systems. A motion was made by Squire Wells to approve this resolution, seconded by Squire Fogle, motion carried.

For other Kentucky Government sites visit:

[Kentucky.gov](http://Kentucky.gov)

Kentucky Retirement Systems (KRS) must implement by September 1, 2008. [Click here for more information.](#)

- **2008-2009 Employer Contribution Rates**

The KRS Board of Trustees recently adopted the employer contribution rates for fiscal year beginning July 1, 2008 based upon the results of the most recent actuarial valuation. [Click here for more information.](#)

- **Do You Know Your Employer Service Representative?**

Each employer participating in the retirement systems is assigned an Employer Services Representative. To find out the representative assigned by KRS to your agency, [please click here.](#)

### Employer Publications

- **Reporting Official Manual**

Policies and procedures related to reporting retirement information and contributions to KRS. The manual can be viewed with Adobe Acrobat. Reporting Officials unable to download a copy from the web site should contact their KRS Employer Service Representative.

- **KRS Secure Email Portal User Manual**

KRS is implementing the KRS Secure Email Portal to protect confidential information exchanged between KRS and participating agencies. The KRS Secure Email Portal User Manual outlines clear, step-by-step instructions for accessing and using the portal.

### Employer Forms

- **House Bill 1 Hazardous Forms Packet**


- **Form 2020**

- **Form 2011 (HP-2)**

- **Supplemental Form**

<http://www.kyret.com/Employers/EmployerInfo.htm>

9/17/2008




# KYRetirement Systems

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### Current Information

- **2008 Special Legislative Session Changes**  
On June 27, 2008 House Bill 1, the Pension Reform legislation, was signed by Governor Beshear. This law is a comprehensive pension reform that will significantly impact retirement benefits for employees who begin participating with the Kentucky Retirement Systems on or after September 1, 2008. KRS will be conducting meetings throughout the state to allow employers to learn more about this legislation and the immediate changes that will be required. [Click here for more information.](#)
- **House Bill 1 2008 Employer Meetings**  
KRS conducted employer meetings in July and August to inform employers about House Bill 1 provisions. If you were unable to attend a meeting and have not spoken with your KRS Employer Service Representative, please contact your representative at your earliest convenience. There are several provisions within House Bill 1 that require your attention. The following link provides a list of KRS Employer Service Representatives by county: [Click here for more information.](#)
- **House Bill 1 2008 Special Session**  
House Bill 1 was signed by Governor Beshear on June 27, 2008. The Bill contains a list of changes that

<http://www.kyret.com/Employers/EmployerInfo.htm>

9/17/2008

7077

CHECKLIST FOR CERS HAZARDOUS PETITIONS  
AS REQUIRED BY KRS 61.592 (1)(b)

AGENCY: \_\_\_\_\_ EFFECTIVE DATE: \_\_\_\_\_

In order to petition the Kentucky Retirement System’s Board of Trustees to approve the transfer of certain non-hazardous positions to hazardous duty coverage, the following documentation is required:

- \_\_\_\_\_ 1. Form 7008: Resolution to transfer certain non-hazardous positions to hazardous duty Coverage.
- \_\_\_\_\_ 2. Form 7011: H.P.- 1 for CERS.
- \_\_\_\_\_ 3. List of all positions to be covered under hazardous duty coverage
- \_\_\_\_\_ 4. List of name(s), social security number(s), and position title of all individuals with a participation date of 9/1/2008 or after in those positions to receive hazardous duty coverage
- \_\_\_\_\_ 5. Job Descriptions (principal duties of each position to be designated for hazardous duty coverage).
- \_\_\_\_\_ 6. Form 7026: Position Questionnaire
- \_\_\_\_\_ 7. Form 2011: H.P.- 2 form for each employee listed for hazardous duty coverage (Please note: physical exams must be within 12 months of the effective date)

**\*The effective date must be the same on the following documents:**  
Form 7008: Resolution to transfer; Form 7013: H.P.-1; and Form 2001: H.P.-2

**\*The position title must be exactly the same on the following documents:**  
Job Description; Form 7026: Position Questionnaire; and Form 2011: H.P.-2

**\*An authorized signature must be on all forms.**

Set up by: \_\_\_\_\_ Date: \_\_\_\_\_  
Checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Print Form

Kentucky Retirement Systems  
Perimeter Park West  
1260 Louisville Rd  
Frankfort KY 40601-6124  
Phone: (502) 696-8800  
Fax: (502) 696-8822  
www.kyret.com

**FORM 7011 CERS**  
Revised 08/08

**Hazardous Participation Certification**  
**Form H.P.-1**  
As Defined by KRS 61.592

WHEREAS, the Governing Body of \_\_\_\_\_ is aware of the laws and provisions established under KRS 61.592 providing hazardous position coverage under the County Employees Retirement System.

NOW THEREFORE, the Head of the Agency requests the Board of Trustees of the Kentucky Retirement Systems to approve hazardous position coverage for the positions listed on the attached report effective as of \_\_\_\_\_. The attached report indicates the name, social security number and position title of each individual presently occupying the positions for which hazardous coverage is requested.

The Agency Head certifies that the Agency will be fully responsible for determining that employees who presently occupy a position for which hazardous coverage is requested or future employees occupying such positions are now and in the future will be properly classified in accordance with the duties and responsibilities of the position. Each employee listed is now working in a regular full-time hazardous position as defined in KRS 61.592.

The Agency understands that once a position is approved for hazardous duty coverage, the position shall thereafter continue to be covered, and each employee appointed to that position must be reported to Kentucky Retirement Systems as a hazardous duty employee.

The Agency is cognizant of the fact that if there is any change in the work assignment or classification of any individual, presently assigned to a hazardous position, which change would result in duties that no longer could be classified as hazardous, the individual is to be transferred from hazardous coverage to nonhazardous coverage.

The Agency is aware that employer contribution rates are determined based on an actuarial valuation and acknowledges that the Agency will be responsible for any increased financial obligation associated with an increase in employer contribution rates.

Agency Head or  
Authorized Agent: \_\_\_\_\_

Budget Officer: \_\_\_\_\_

Date: \_\_\_\_\_

Kentucky Retirement Systems  
Perimeter Park West  
1260 Louisville Rd  
Frankfort KY 40601-6124  
Phone: (502) 696-8800  
Fax: (502) 696-8822  
www.kyret.com

Print Form

FORM 7026  
Revised 08/08

Position Questionnaire  
For Employees With a CERS Participation Date  
On or After September 1, 2008

1. List the exact position title as it appears on your personnel forms.

2. List the position's duties and indicate the percentage of time spent performing each duty. Percentages must equal 100%.

3. Be as detailed as possible. The Board of Trustees will use this document in determining if the position meets the definition of hazardous per KRS 61.592 (1) (b).

Agency: \_\_\_\_\_

Position Title: \_\_\_\_\_

Please select the appropriate classification and answer all that are applicable.

☐ Police Officer

☐ Firefighter Does this position require active fire suppression? ☐ Yes ☐ No

☐ Paramedic

☐ Correctional Officer Does this position routinely require face to face contact with inmates? ☐ Yes ☐ No

☐ Emergency Medical Technician

☐ Other Specify: \_\_\_\_\_

Is this position required to have Peace Officer Professional Standards and Certification? ☐ Yes ☐ No

If no, is this position required to carry a firearm? ☐ Yes ☐ No

Does this position require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning? ☐ Yes ☐ No

Are the employee's duties primarily clerical or administrative? ☐ Yes ☐ No

Required:  
Position Duty: Clerical or Administrative  
Percentage of Time Spent: \_\_\_\_\_

Comment: \_\_\_\_\_

Agency Head Signature /Title: \_\_\_\_\_

Date: \_\_\_\_\_

Please describe additional position duties on page 2.

Position Questionnaire

Position Title: \_\_\_\_\_

Position Duty: \_\_\_\_\_

Percentage of Time Spent: \_\_\_\_\_

Comment: \_\_\_\_\_

Position Duty: \_\_\_\_\_

Percentage of Time Spent: \_\_\_\_\_

Comment: \_\_\_\_\_

Position Duty: \_\_\_\_\_

Percentage of Time Spent: \_\_\_\_\_

Comment: \_\_\_\_\_

Position Duty: \_\_\_\_\_

Percentage of Time Spent: \_\_\_\_\_

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Position Duty: \_\_\_\_\_

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Position Duty: \_\_\_\_\_

Percentage of Time Spent: \_\_\_\_\_

Comment: \_\_\_\_\_

Agency Head/Title: \_\_\_\_\_

Date: \_\_\_\_\_

Kentucky Retirement Systems  
Perimeter Park West  
1260 Louisville Rd  
Frankfort KY 40601-6124  
Phone: (502) 696-8800  
Fax: (502) 696-8822  
www.kyret.com

Print Form

FORM 7008  
Revised 08/08

**Resolution of Agency Transferring From  
Non-Hazardous to Hazardous Coverage  
As Defined by KRS 61.592 (1) (b)**

At a meeting of the \_\_\_\_\_, held on the \_\_\_\_\_ day of \_\_\_\_\_, present  
and presiding were \_\_\_\_\_  
Members absent: \_\_\_\_\_

A Motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_  
that the following resolution be adopted in  
accordance with KRS 61.592 (1) (b):

WHEREAS, \_\_\_\_\_ is requesting that the KRS Board of Trustees  
approve hazardous duty coverage for positions in the \_\_\_\_\_ department(s) for  
employees who begin participating in the County Employees Retirement System on or after  
September 1, 2008.

NOW THEREFORE, BE IT RESOLVED, by the \_\_\_\_\_  
as follows:

(A) That effective \_\_\_\_\_ all employees working under hazardous duty  
positions of the \_\_\_\_\_ department(s) will transfer from the  
existing nonhazardous coverage in the County Employees Retirement System to  
hazardous duty coverage within the same County Employees Retirement System.

(B) Contributions to be paid are as follows:

- 1) \_\_\_\_\_ (current rate) of employee's gross wages to be paid by  
the employer (may be changed by the Board of Trustees of the  
Kentucky Retirement Systems).
- 2) 9% (current rate) of employee's gross wages to be paid by the  
employee who has a participation date on or after September 1,  
2008 (may be changed by the Kentucky General Assembly).

FURTHER BE IT RESOLVED, that the \_\_\_\_\_  
will comply with all the statutory requirements to make the County Employees Retirement  
System hazardous duty coverage available for all eligible employees who are working  
under approved positions within the \_\_\_\_\_ department(s).

The above resolution was adopted on roll call, the voting resulting as follows:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

I do hereby certify that the above is a true and correct copy of an Order of the governing  
body of the above named agency.

Signed \_\_\_\_\_

Title \_\_\_\_\_

Print Form

FORM 2011  
Revised 08/08

Kentucky Retirement Systems  
Perimeter Park West  
1260 Louisville Rd  
Frankfort KY 40601-6124  
Phone: (502) 696-8800  
Fax: (502) 696-8822  
www.kyret.com

**Hazardous Duty Certification  
Form H.P.-2**

WHEREAS, the Governing Body of the Department or Agency indicated below is aware of the  
laws and provisions established under KRS 61.592 providing hazardous position coverage  
under the Kentucky Retirement Systems;

WHEREAS, the Board of Trustees of the Kentucky Retirement Systems has approved  
hazardous retirement coverage for the positions certified to it by this agency;

NOW THEREFORE, the Department or Agency Head certifies that the following employee is  
now working regular full-time in a hazardous position as defined in KRS 61.592 and further  
states that the employee received a physical examination on \_\_\_\_\_  
as a requirement for employment in this position.

Name: \_\_\_\_\_

SSN: \_\_\_\_\_ Age: \_\_\_\_\_

Title of Position: \_\_\_\_\_

Effective Date of Coverage: \_\_\_\_\_

KRS Participation Date: \_\_\_\_\_

The Agency is cognizant of the fact that if there is any change in the work assignment or  
classification of the above individual, a new Form H.P.-2 shall be submitted. Additionally, if the  
change would result in duties that no longer could be classified as hazardous, the individual is to  
be transferred from hazardous retirement coverage to non-hazardous coverage.

Department or Agency: \_\_\_\_\_

Agency Head or Authorized Agent: \_\_\_\_\_

Date: \_\_\_\_\_

**In Re: 109 Board Appointments**

Judge Bertram informed the court that two board members terms are up for appointment, Kim Bastin Myers and Jeff Dicken. The Judge also stated that two other board members had stated that they would be resigning from the board Mr. Arnold Ross, and Mr. Obie Fardo.

Squire Veirs made a motion to reappoint Kim Myers and Jeff Dicken as county appointments to the 109 Board, seconded by Squire Wells, motion carried.

**In Re: Art Display in Downtown Falmouth**


Judge Bertram ask the Fiscal Court to try to support the young artist that will be hosting an art exhibit in downtown Falmouth on September 26, 27, an d28.  
This was for information only, no action taken.

**In Re: Approve CMRS Grant for \$159,000.00**

Judge Bertram presented the court with a copy of a CMRS grant agreement in the amount of \$159,637.17 and ask that the court approve his signing this agreement. Squire Whaley made a motion to approve Judge Bertram signing this grant agreement, seconded by Squire Veirs, motion carried.

Doc ID No: PO2 094 0800019830 1

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Commonwealth of Kentucky

PURCHASE ORDER

IMPORTANT

Show Doc ID number on all packages, invoices and correspondence.

Doc Description: 2008 CMRS Grant-Pendleton County Fiscal Court

Doc ID No: PO2 094 0800019830 1

Procurement Type: Grant

Administered By: Tandy S Hubbard

Telephone: 502-564-3911

Procurement Folder: 1157335

Cited Authority: KRS 65.7631(2)

Issued By: Tandy S Hubbard

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PENDLETON COUNTY FISCAL COURT  
  
HOMELAND SECURITY USE ONLY  
233 MAIN ST COURTHOUSE ROOM 4  
FALMOUTH KY 41040  
US

Effective From: 2008-10-01

Effective To: 2009-09-30

Line	CL Description	Due Date	Quantity	Unit Issue	Unit Price	Contract Amt	Total Price
1	2008 CMRS Grant		0.00		0.00000	159,637.17	159,637.17

Extended Description

CMRS 2008 CMRS Grant

Project #: 08-047

Pendleton County Fiscal Court

Deliverables: new Dispatch Consoles

Scope of Work: The grant recipient shall use this grant solely for the purchase of equipment and services necessary for the acquisition and installation of new Dispatch Consoles.

Any further purchases differing from the aforementioned must be submitted and approved by the CMRS Board.

All purchases must comply with the CMRS Grant allowable expenses as outlined in the terms and conditions of this contract.

Project Start Date: October 1st, 2008

Project Close Date: September 30th, 2009

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Kentucky CMRS Board Grant Fund

Grant Terms and Conditions

- Americans with Disabilities Act of 1990 (ADA):** The grantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.
- Availability of CMRS Funds:** This grant award is contingent upon availability of funds in the CMRS' Grant Fund as received pursuant to KRS 65.7631.
- Bidding Requirements:** The grantee shall comply with the Kentucky Model Procurement Code (KRS Chapter 45A). According to Chapter 45A.385, the grantee may use the small purchase procedures (45A.100) for any contract for which determination is made that the aggregate amount of the contract does not exceed twenty thousand dollars (\$20,000). For items and contracts over \$20,000, the grantee must competitively bid the project according to the agency's procurement guidelines or purchase the items from the Kentucky State price contract.
- Bonding:** It is strongly recommended that all officials identified on this grant who have authority to obligate, expend or approve expenditures be bonded for an amount no less than the total amount of the grant.
- Civil Rights Compliance and Notification of Findings:** The grantee will comply with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1964, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Homeland Security's Non-Discrimination Regulations, 28 CFR Part 42, Subparts C,D,E, and G; and Department of Homeland Security's regulations on disability discrimination, 28 CFR Part 35 and 39 and KRS Chapter 344. In the event a Federal or State Court, Federal or State administrative agency, or the grantee or Contractor makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the grantee or Contractor will forward a copy of the findings to the Kentucky CMRS Board who will, in turn, submit the findings to the Kentucky Office of Homeland Security for referral to the Department of Homeland Security and the Office of Justice Programs' Office of Civil Rights.
- Compliance Agreements:** The grantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by the Kentucky CMRS Board. Failure to comply could result in a "Stop Payment" being placed on the grant.
- Compliance with Section 504 of the Rehabilitation Act of 1973 (Handicapped):** All recipients of public funds must comply with Section 504 of the Rehabilitation Act of 1973. Therefore, the funds recipient pursuant to the requirements of the Rehabilitation Act of 1973 hereby gives assurance that no otherwise qualified handicapped person shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of the Rehabilitation Act of 1973 shall be included in the agreements with and be binding on all of its grantees, contractors, subcontractors, assignees or successors.
- Confidential Information:** Any reports, information, data, etc., given to, prepared or assembled by the grantee under this grant (which the Kentucky CMRS Board requests to be kept confidential) shall not be made available to any individual or organization by the grantee without prior written approval of the Kentucky CMRS Board.
- Conflict Of Interest:** Personnel and other officials connected with this grant shall adhere to the requirements given below:

**Advice:** No official or employee of a state or unit of local government or of non-government grantees/grantees shall participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative agreement, claim, controversy, or other particular matter in which these funds are used, where to his knowledge he or his immediate family, partners, organization other than a public agency in which he is serving as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

**Appearance:** In the use of these grant funds, officials or employees of state or local units of government and non-governmental grantees shall avoid any action which might result in, or create the appearance of the following:

➤Using his or her official position for private gain;

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- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; and/or
- Adversely affecting the confidence of the public in the integrity of the government or the program.

- Consultants:** Billings for consultants who are individuals must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Individual consultant costs must be within the prevailing rates, not to exceed the maximum of \$450.00 per day.
- Continuation:** The applicant agrees that if the requested project is funded, continuation is not guaranteed.
- Contract Requirements:** The applicant agrees that no contract or agreement may be entered into by the grantee for execution of project activities or provision for services to a grant project (other than the purchase of supplies or standard commercial or maintenance services) which is not incorporated in the approved application. Any such arrangements will provide that the grantee will retain ultimate control and responsibility for the project and that the contractor will be bound by these conditions as well as the grantee.
- Deobligation of Grant Funds:** All grants must be de-obligated within forty-five (45) calendar days of the end of the grant period. Failure to de-obligate the grant in a timely manner will result in an automatic de-obligation of the grant by the Kentucky CMRS Board.
- Drug-Free Workplace Certification:** This Certification is required by federal regulations implementing the Federal Drug-Free Workplace Act of 1988. The federal regulations, published in the January 31, 1989, Federal Register, require certification by state agency grantees that they will maintain a drug-free workplace. The certification is a material representation of fact upon which reliance will be placed when the Kentucky CMRS Board determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of the grant, or government-wide suspension or debarment.
- Equal Employment Opportunity:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under grants awarded pursuant to the Act governing these funds or any project, program, activity or grant supported by such requirements of Title VI of the Civil Rights Act of 1964, and all applicable requirements pursuant to the regulations of the Department of Commerce (Title 15, code of Federal Regulations, Part 8, which have been adopted by the Federal Funding Agency); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Labor Regulation 41 CFR Part 60; and the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The grantee must therefore ensure it has a current Equal Employment Opportunity Program (EEOP) which meets the requirements of 28 CFR 42.301. The grantee further agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEOP, as supplemented in Department of Labor Regulations 41 CFR Part 60. The grantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to the Kentucky CMRS Board.
- Financial Responsibility:** The financial responsibility of grantees must be such that the grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate accounting systems should meet the following criteria:
  - Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant;
  - Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located;
  - The accounting system should provide accurate and current financial reporting information; and,
  - The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
- Fiscal Regulations:** The applicant assures that it will comply and all its contractors will comply, with the provisions of applicable federal and state laws and regulations.
- Fraud:** The applicant understands that whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property which are the subject of a grant or contract or other form of assistance, whether received directly or indirectly from the Kentucky CMRS Board, will be fined not more than \$10,000 or imprisoned for not more than five years or both.

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Whoever knowingly falsifies, conceals or covers up by trick, scheme or device, any material fact in any application for assistance or in any record required to be maintained, will be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any program or project underwritten in whole or in part by any grantee, or contract or other form of assistance, whether received directly or indirectly from the Kentucky CMRS Board will be subject to the provisions of Section 371 of Title 18, United States Code.

19. **Interest and Other Program Income:** The applicant agrees to be accountable for all interest or other income earned by the grantee with respect to grant funds or as a result of conduct of the project (sale of publications, registration fees, service charges, etc.) All program income generated by this grant during the project must be reported to the Kentucky CMRS Board quarterly and must be put back into the project or be used to reduce the grantor participation in the program. The use or planned use of all program income must have prior written approval from the Kentucky CMRS Board.
20. **Interoperable Equipment:** Any awards resulting from this application, involving data or voice communication equipment or projects, including data or voice interoperability equipment or projects, shall be presented for review and must be approved by the Kentucky Wireless Interoperability Executive Committee (KWIEC). The KWIEC shall forward the plans to the Chief Information Officer for the Commonwealth Office of Technology (COT) for final approval.
21. **Legal Action:** The applicant agrees that should the Kentucky CMRS Board or the Kentucky Office of Homeland Security to which it is attached determine that it needs to take legal action against the applicant for actions arising out of the grant, the applicant will waive jurisdiction and consent to jurisdiction of the Franklin County Circuit Court.
22. **Non-Supplanting Agreement:** The grantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within 30 days. If the vacancy is not filled within 30 days, the grantee must stop charging the grant for the new position. Upon filling the vacancy, the grantee may resume charging for the grant position.
23. **Obligation of Grant Funds:** Grant funds may not be obligated prior to the effective date of the approved grant application and without advance written approval by the Kentucky CMRS Board. No obligations are allowed after the end of the grant period and the final request for payment must be submitted no later than 45 calendar days after the end of the grant period.
24. **Performance:** This grant may be terminated or fund payments discontinued by the Kentucky CMRS Board where it finds a substantial failure to comply with the provisions of the legislation governing these funds or regulations promulgated, including those grant conditions or other obligations established by the Kentucky CMRS Board. In the event the grantee fails to perform the services described herein and has previously received financial assistance from the Kentucky CMRS Board, the grantee shall reimburse CMRS the full amount of the payments made. However, if the services described herein are partially performed, and the grantee has previously received financial assistance, the grantee shall proportionally reimburse the Kentucky CMRS Board for payments made.
25. **Personnel Costs:** Personnel costs must be consistent with the agency's policies and procedures and must be applied uniformly to both grant financed and other activities of the agency. Administrative costs no greater than 3% of the total grant funds awarded may be extracted from the grant for administrative purposes and only by agencies managing the awarded grant for an agency other than their own.
26. **Political Activity:** None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act", and/or the provisions of KRS 11A and KRS 45A.
27. **Project Implementation:** The grantee agrees to implement this project within 60 days following the grant award effective date or be subject to automatic cancellation of the grant.
28. **Property Control:** Effective control and accountability must be maintained for all personal property. Grantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Grantees should exercise caution in the use, maintenance, protection and preservation of such property.

*Use and Disposition:* Equipment shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by state funds. When use of the property for project activities is discontinued, the grantee shall request, in writing, disposition instructions from the Kentucky CMRS Board prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to the Kentucky CMRS Board immediately.

29. **Procurement:** Procurement of goods and services must comply with all local procurement guidelines, which reflect

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applicable provisions of KRS 45A or Chapter 424. It is suggested that grantees recipients contact counsel for advice.

30. **Publications:** The grantee agrees that all publications created with funding under this grant agreement shall prominently contain the following statement: "This document was prepared under a grant from the Kentucky CMRS Board. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the Kentucky CMRS Board or the Kentucky Office of Homeland Security." Additionally, any publication created with funding under this agreement shall bear on it the logos of the Kentucky CMRS Board.
- The grantee also agrees that one copy of any such publication will be submitted to the Kentucky CMRS Board to be placed on file and distributed as appropriate to other potential grantees or interested parties. The Kentucky CMRS Board may waive the requirement for submission of any specific publication upon submission of a request providing justification from the grantee.
31. **Records:** The applicant will give the grantor agency or the Controller General and the Kentucky Auditor of Public Accounts through any authorized representative, the access to and the right to examine all records, books, papers or documents related to the grant.
32. **Recording and Documentation of Receipts and Expenditures:** Grantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source of expenditures made from such funds and unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets, liabilities, expenditures and program income. Controls must be established which are adequate to ensure that expenditures charged to the grant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc.
33. **Reimbursements:** The applicant understands that all grant funds awarded from the Kentucky CMRS Board are done so on a reimbursement basis. The grantee must pay accumulated vendor invoices once services are rendered and submit the invoice along with a copy of the cancelled check made out to the vendor to the CMRS Board for reimbursement. The CMRS Board agrees to handle requests for grant reimbursements in a timely and efficient manner. Grantees unable to handle the grant on a reimbursement basis due to financial hardship must contact the CMRS Board as soon as the grant is awarded to make other arrangements.
34. **Reports:** The grantee shall submit, at such times and in such form as may be prescribed, such reports as the Kentucky CMRS Board may reasonably require, including financial reports, progress reports, final financial reports and evaluation reports.
35. **Retention of Records:** Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim or audit is started before the expiration of the three year period, then records must be retained for three years after the litigation, claim or audit is resolved.
36. **Suspension or Termination of Funding:** The Kentucky CMRS Board may suspend; in whole or in part, and/or terminate funding for or impose another sanction on a grantee for any of the following reasons:

Failure to comply substantially with requirements or statutory objectives set forth herein;

Failure to adhere to the requirements, standard conditions or special conditions;

Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding;

Failure to submit reports;

Filing a false certification in this application or other report or document;

Other good cause shown.
37. **Travel Costs:** The grantee shall be paid no travel expense unless and except as specifically authorized under the specifications of the grant agreement. Unless otherwise indicated, travel reimbursement shall be in accordance with 200 KAR 2:006. Neither travel time nor travel expenses will be included personnel hourly rates.
38. **Utilization and Payment of Grant Funds:** Funds awarded are to be expended only for purposes and activities covered by the grantees approved project plan and budget. Items must be in the grantee's approved grant budget in order to be eligible for reimbursement.
39. **Utilization of Minority Businesses:** Grantees are encouraged to utilize qualified minority firms where cost and performance of major contract work will not conflict with funding or time schedules.

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40. *Written Approval of Changes:* Any mutually agreed upon changes to this grant must be approved, in writing, by the Kentucky CMRS Board prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved grant is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application

202 KAR 6:090. Permitted uses by PSAPs for CMRS funds (effective 12/4/2007)

RELATES TO: KRS 65.7621, 65.7627, 65.7629(3)-(9), (13), 65.7631, 65.7635, 65.7639, 65.7643, 9 U.S.C. 1-16, 47 U.S.C. 153(27), 332(d), FCC Order Docket #94-102, 1996

STATUTORY AUTHORITY: KRS 65.7633(2)(c)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 65.7633(2)(c) requires the CMRS Board to promulgate administrative regulations to establish guidelines to be followed by the board in reviewing, evaluating, and approving or disapproving disbursements from the CMRS fund and requests for disbursements under KRS 65.7631(2) and (3). KRS 65.7631(2) restricts the use of funds disbursed solely for the purposes of answering, routing, and properly disposing of CMRS 911 calls, training PSAP staff, public education, and complying with the wireless E911 service requirements established by the FCC. This administrative regulation establishes guidelines to be followed by the board in its review and evaluation of disbursement requests by local 911 centers.

Section 1. Definitions.

- (1) "AVL" means automatic vehicle location systems used to track emergency responder vehicle.
- (2) "CAD" means computer aided dispatch systems used by 911 personnel to allocate and track emergency responder resources during a 911 call.
- (3) "EMS" means emergency medical system which includes paramedics, emergency medical technicians and other personnel and equipment used to respond to medical emergencies.
- (4) "GIS" means Geographic Information Systems used to create, maintain, and manage graphic location data for use by emergency communications centers.
- (5) "LINK/NCIC" means the Law Enforcement Information Network of Kentucky and the National Crime Information Computer, two (2) systems commonly used by law enforcement and emergency communications personnel for short messaging between agencies and to request vehicle, driver, and criminal history checks.
- (6) "MSAG" means Master Street Address Guide, the database used by 911 centers to determine an emergency call's initial location.

Section 2. Allocation of CMRS Funds.

- (1) Wireless only costs. CMRS funds may be expended for costs which are solely for the provision of enhanced 911 service involving calls from wireless consumers.
- (2) Wireline and wireless-shared costs. Costs for personnel, equipment, or facilities which are necessarily shared by calls to 911 from wireline and wireless users shall be prorated based on the percentage of call traffic attributed to calls from wireless users. CMRS funds may be used only for the wireless prorated portion.
- (3) Multifunction personnel, equipment, or facility shared costs. Expenses for personnel, equipment, or facilities which serve multiple functions or purposes shall be pro rated. Only those costs for the pro rated wireless portion directly involved in the delivery of 911 service shall be allowed.

Section 3. Allowed 911 Center Operational Expenditures.

- (1) Personnel costs. Costs for the following employees, to the extent their duties are directly attributable to delivery of 911 service, shall be allowed:
  - (a) Positions allowed.
    - 1. Director;
    - 2. Supervisor;
    - 3. Dispatcher;
    - 4. Call-taker;
    - 5. Technical staff;
    - 6. Support staff; and
    - 7. Other staff involved in the provision of 911 service.
  - (b) Costs allowed.
    - 1. Salaries;

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- 2. Fringe benefits;
    - 3. MSAG coordination;
    - 4. Uniforms; and
    - 5. Addressing/database development and management.
  - (2) Facility costs. Facility costs for the following expenses, to the extent it is directly attributable to delivery of 911 service, shall be allowed:
    - (a) Capital improvements for construction, remodeling, or expansion;
    - (b) Lease or rental payments;
    - (c) Utilities;
    - (d) Heating and air conditioning;
    - (e) Fire suppression systems;
    - (f) Security systems;
    - (g) Cleaning and maintenance;
    - (h) Emergency power and uninterruptible power equipment;
    - (i) Insurance;
    - (j) Office supplies;
    - (k) Printing and copying services; and
    - (l) Furniture.
  - (3) Training and memberships. Training and memberships in professional associations shall be allowed to the extent they are directly attributable to the enhancement of knowledge, skills and abilities of 911 personnel in the provision of 911 service, including:
    - (a) Vendor provided training;
    - (b) Conferences;
    - (c) Necessary travel and lodging;
    - (d) On-the-job training; and
    - (e) Memberships in 911 related associations, such as the Association of Public Communications Officials, or the National Emergency Number Association.
  - (4) Hardware, software, and peripheral equipment. Costs for the following equipment shall be allowed to the extent their function is directly attributable to the provision of 911 service, whether on the premises or remotely located:
    - (a) 911 controllers, telephone equipment, or software;
    - (b) 911 trunks or administrative lines for the 911 center;
    - (c) Remote 911 hardware or modems;
    - (d) Automatic call distribution (ACD) systems or other call management facilities and software;
    - (e) Call-time stamping or other clock functions;
    - (f) Computer workstations;
    - (g) Telephone device for the deaf equipment;
    - (h) Voice and data recording systems;
    - (i) Radio systems, including consoles and infrastructure;
    - (j) CAD, GIS/mapping, paging, mobile data, LINK/NCIC, or AVL systems;
    - (k) Associated databases;
    - (l) Network connectivity;
    - (m) Software licenses; and
    - (n) Maintenance or service agreements for equipment or software listed in paragraphs (a) through (m) of this subsection.
  - (5) Vehicle costs. Vehicle costs for the following, either as reimbursement to an employee for the use of a private vehicle or direct costs for a vehicle assigned to the agency, shall be allowed to the extent their use is directly attributable to the provision of 911 service:
    - (a) MSAG development and maintenance;
    - (b) GIS verification and testing; and
    - (c) Public education.
  - (6) Professional services. Costs for the following professional services shall be allowed to the extent they are directly attributable to the provision of 911 related service:
    - (a) Legal;
    - (b) Architectural;

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- (c) Auditing; and  
(d) Consultation.
- (7) Public education. Costs for public education regarding the proper use of 911 shall be allowed.
- Section 4. Not Allowed 911 Center Operational Expenses.
- (1) Personnel costs. Personnel costs for the following personnel shall not be allowed, except when directly functioning as 911 center staff:  
Law enforcement;  
EMS personnel;  
Fire personnel;  
Emergency management staff; and  
Shared support or technical staff.
- (2) Facility costs. Facility costs for the following purposes and facilities shall not be allowed, except for that portion used for 911 operations.  
(a) Capital and furnishing costs for facilities whose primary purpose is other than 911 operations;  
(b) Facilities primarily intended for use by police, fire, EMS, or other emergency management personnel; and  
(c) Facilities providing general offices for county or municipal government operations.
- (3) Training and memberships.  
(a) Costs for training for staff not directly involved in the delivery of 911 services or courses whose content is not intended to increase of the knowledge, skills, and abilities of 911 personnel in regard to delivery of 911 service shall not be allowed.  
(b) Costs for memberships in organizations or associations whose primary purpose is other than public safety communications or 911 issues shall not be allowed.
- (4) Hardware, software, and peripheral equipment. The following hardware, software, or peripheral equipment costs, unless directly attributable to the delivery of 911 service shall not be allowed:  
(a) Law enforcement, fire, EMS, or jail record management systems;  
(b) Word processing, databases, and other general computer applications;  
(c) GIS applications providing data layers not needed for the location of emergency calls or other general mapping and location services for government operations;  
(d) Court information systems;  
(e) Field equipment used outside of the 911 center by emergency responders or other government personnel for radio, paging, mobile data, LINK/NCIC, CAD, or AVL systems;  
(f) Connectivity for an application listed in paragraphs (a) to (e) of this subsection;  
(g) A maintenance or service agreement for an application listed in paragraphs (a) to (e) of this subsection; and  
(h) Software license for an application listed in paragraphs (a) to (e) of this subsection.
- (5) Vehicle costs. The cost of an emergency response or other government vehicle not directly attributable to the delivery of 911 service shall not be allowed.
- (6) Professional services. Costs for professional services not directly attributable to the delivery of 911 service shall not be allowed.
- (7) Public education. Costs for public education not directly attributable to the delivery of 911 service shall not be allowed.
- (29 Ky.R. 1160; Am. 1524; eff. 12-18-02.)

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By signing this document, the grant recipient agrees to the terms, conditions and contract attached.

CMRS Grant Recipient: \_\_\_\_\_

Authorizing Official \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Commonwealth of Kentucky, Office of the 911 Coordinator/CMRS Board

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form and legality:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

In Re: Sheriff’s Department Transport Order

Judge Bertram presented the court with a court order regarding the Sheriff’s transporting of prisoners from 6:00 PM until 6:00 AM Monday thru Friday and 24 hours on Saturday and Sunday. Squire Wells made a motion to approve the court, seconded by Squire Fogle, motion carried.

COURT ORDER # \_\_\_\_\_

ADDRESSING THE TRANSPORTING OF PRISONERS BY THE  
PENDLETON COUNTY SHERIFF'S DEPARTMENT

**WHEREAS**, the Pendleton County Fiscal Court and the Pendleton County Sheriff's Department desire to enter into this order which allows local government units to make the most efficient use of their resources by enabling them to cooperate on the basis of mutual advantage and;

**WHEREAS**, the Fiscal Court and the Sheriff's Department have determined that the public welfare, safety, interests and good shall be preserved, maintained, and promoted by this court order and;

**WHEREAS**, such joint undertaking will provide more efficient utilization of resources and will result in improved services to the citizens of Pendleton County and the Cities of Falmouth and Butler;

**NOW THEREFORE**, the Pendleton County Fiscal Court orders the Pendleton County Sheriff's Department to continue transportation of prisoners (adult and juveniles) beginning October 1, 2008 to October 1, 2009.

The Fiscal Court orders, the Pendleton County Sheriff's Department to transport all Pendleton County Prisoners (adult and Juveniles from the hours of 6:00 PM to 6:00 AM Monday through Friday and for 24 hours on Saturdays and Sundays and that the Pendleton County Jailer and staff will transport all prisoners (adults and juveniles) for court and arrest purposes from 6:00 AM to 6:00 PM Monday through Friday.

That the Pendleton County Fiscal Court will compensate two officers as full time deputies and use existing officer's to transport prisoners any time needed over the 108 hours per week that is the Sheriff's Department responsibility.

The two officers will be compensated at a total gross rate of \$63,098.40 per year with the county paying the employers share of Social Security, Medicare, and Retirement.

**The county will compensate the sheriff's office at a rate of \$0.35 per mile for fuel and maintenance while the office is fulfilling his transport duty.**

Signed and Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_  
Henry Bertram  
Pendleton County Judge/Executive

\_\_\_\_\_  
Vicky King  
PC Fiscal Court Clerk

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**In Re: Budget Account Transfers**

Judge Bertram presented and read the Budget Account Transfers, whereupon a motion was made by Squire Whaley, seconded by Squire Veirs, carried that the following Budget Account Transfers be accepted as presented.

PENDLETON COUNTY FISCAL COURT  
TUESDAY SEPTEMBER 9, 2008  
7:00 PM

COURT ORDER TRANSFERS

**BUDGET ACCOUNT TRANSFERS:**

General Fund

Transfer from (01-9200-999) Reserve for Transfers to the following accounts:

01-5070-445	P&Z Office Supplies	200.00
01-9100-332	Legal Fees	2,000.00

\_\_\_\_\_  
Henry W. Bertram  
County Judge/Executive

\_\_\_\_\_  
Vicky King  
Fiscal Court Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**In Re: Payment of Claims**

Judge Bertram presented and reviewed the Payment of Claims. Whereupon a motion was made by Squire Veirs, seconded by Squire Fogle, carried, that the following claims be allowed and ordered paid out of the following funds.

Pendleton County Fiscal Court  
Voucher Claims Register

General Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No. 03-5122		Vendor MODERN LEA	MODERN LEASING		Voucher Date 09/23/2008	
03-0123	01-5001-445-	CO. JUDGE/EXEC. OFFICE SUPPLIES	6739485511	018456	LANIER COPIER LEASE	425.83
		Printed On Check 010635			Voucher Totals	425.83
Voucher No. 03-5123		Vendor BECKY'S FL	BECKY'S FLOWER BASKET		Voucher Date 09/23/2008	
03-0123	01-5025-499-	OTHER SUPPLIES	2075	018443	FLOWERS FOR ED MCCANDLESS	52.00
		Printed On Check 010636			Voucher Totals	52.00
Voucher No. 03-5124		Vendor CO CLERK	PENDLETON COUNTY CLERK		Voucher Date 09/23/2008	
03-0123	01-5035-191-	BOARD OF ASSESSMENT APPEALS		018434	FINAL PAYMENT BOARD OF ASSESSMENT	100.00
		Printed On Check 010637			Voucher Totals	100.00
Voucher No. 03-5125		Vendor MULLOY	STEVE MULLOY		Voucher Date 09/23/2008	
03-0123	01-5035-191-	BOARD OF ASSESSMENT APPEALS		018435	FINAL PAYMENT BOARD OF ASSESSMENT	100.00
		Printed On Check 010638			Voucher Totals	100.00
Voucher No. 03-5126		Vendor MOORE RAND	RANDY MOORE		Voucher Date 09/23/2008	
03-0123	01-5035-191-	BOARD OF ASSESSMENT APPEALS		018436	FINAL PAYMENT BOARD OF ASSESSMENT	100.00
		Printed On Check 010639			Voucher Totals	100.00
Voucher No. 03-5127		Vendor D. HART	DARIN HART		Voucher Date 09/23/2008	
03-0123	01-5035-191-	BOARD OF ASSESSMENT APPEALS		018437	FINAL PAYMENT BOARD OF ASSESSMENT	100.00
		Printed On Check 010640			Voucher Totals	100.00
Voucher No. 03-5128		Vendor ES&S	ELECTION SYSTEMS & SOFTWARE, INC.		Voucher Date 09/23/2008	
03-0123	01-5065-565-	ELECTION PRINTING	6908138691225	018460	ELECTION MATERIAL	481.60
		Printed On Check 010641			Voucher Totals	481.60
Voucher No. 03-5129		Vendor STRAUSS	STRAUSS & TROY		Voucher Date 09/23/2008	
03-0123	01-5070-399-	PLANNING - COMPREHENSIVE		018442	LEGAL WORK	200.00
		Printed On Check 010642			Voucher Totals	200.00
Voucher No. 03-5130		Vendor ST.ELIZBUS	ST. ELIZABETH BUSINESS HEALTH CENTER		Voucher Date 09/23/2008	
03-0123	01-5070-445-	P&Z OFFICE SUPPLIES		018444	DRUG SCREEN BRIAN THOMPSON	39.00
		Printed On Check 010643			Voucher Totals	39.00
Voucher No. 03-5131		Vendor POST OFFIC	U S POST OFFICE		Voucher Date 09/23/2008	
03-0123	01-5070-445-	P&Z OFFICE SUPPLIES		018440	100 STAMPS @ .42	42.00
		Printed On Check 010644			Voucher Totals	42.00
Voucher No. 03-5132		Vendor DONNA ROSE	DONNA ROSE COMPANY		Voucher Date 09/23/2008	
03-0123	01-5010-445-	CO. CLERK OFFICE SUPPLIES		018459	CO CLERK SUPPLIES	220.00
03-0123	01-5070-445-	P&Z OFFICE SUPPLIES		018459	BOARD OF ADJUSTMENT RECORD BOOK	230.00
		Printed On Check 010645			Voucher Totals	450.00

Pendleton County Fiscal Court  
Voucher Claims Register

General Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No. 03-5133		Vendor NOTARY	KENTUCKY STATE TREASURER		Voucher Date 09/23/2008	
03-0123	01-5070-445-	P&Z OFFICE SUPPLIES		018439	NOTARY APPLICATION FEE	10.00
		Printed On Check 010646			Voucher Totals	10.00
Voucher No. 03-5134		Vendor SURPLUS	KENTUCKY STATE TREASURER		Voucher Date 09/23/2008	
03-0123	01-5070-445-	P&Z OFFICE SUPPLIES	F46038	018438	OFFICE EQUIPMENT	125.00
		Printed On Check 010647			Voucher Totals	125.00
Voucher No. 03-5135		Vendor COOPER	COOPER WHOLESALE, INC.		Voucher Date 09/23/2008	
03-0123	01-5080-411-	CUSTODIAL SUPPLIES	82944	018431	CUSTODIAL SUPPLIES	46.65
		Printed On Check 010648			Voucher Totals	46.65
Voucher No. 03-5136		Vendor INDUSTRIAL	PENDLETON CO INDUSTRIAL AUTHORITY		Voucher Date 09/23/2008	
03-0123	01-5070-578-	P&Z UTILITIES		018449	AUGUST/SEPTEMBER UTILITIES PLANNING & ZOINING	100.00
		Printed On Check 010649			Voucher Totals	100.00
Voucher No. 03-5137		Vendor BOWLING	BOWLING CONSTRUCTION		Voucher Date 09/23/2008	
03-0123	01-5085-571-	CO PROPERTIES - RENEWALS & REPAIRS		018465	WORK COMPLETED AT ANIMAL SHELTER	233.70
		Printed On Check 010650			Voucher Totals	233.70
Voucher No. 03-5138		Vendor BOWLING	BOWLING CONSTRUCTION		Voucher Date 09/23/2008	
03-0123	01-5085-571-	CO PROPERTIES - RENEWALS & REPAIRS		018464	WORK COMPLETED AT EOC BUILDING	536.94
		Printed On Check 010651			Voucher Totals	536.94
Voucher No. 03-5139		Vendor MILES	RODNEY MILES - BODY SHOP		Voucher Date 09/23/2008	
03-0123	01-5091-592-	MAPPING VEHICLE MAINTENANCE & REPAIRS		018429	2-TIRES FOR FORD BRONCO	170.90
		Printed On Check 010652			Voucher Totals	170.90
Voucher No. 03-5140		Vendor PEOPLES TR	PEOPLES TROPHIES & AWARDS		Voucher Date 09/23/2008	
03-0123	01-5205-403-	ANIMAL FOOD AND SUPPLIES	1077	018446	ANIMAL CONTROL JEEP ( LETTERING & INSTALLATION)	225.00
		Printed On Check 010653			Voucher Totals	225.00
Voucher No. 03-5141		Vendor QUALITY INN	QUALITY INN		Voucher Date 09/23/2008	
03-0123	01-5205-574-	ANIMAL CONTROL TRAINING		018428	LODGING FOR TRAINING OCTOBER 1-3	126.30
		Printed On Check 010654			Voucher Totals	126.30
Voucher No. 03-5142		Vendor EDWARDS	FRED EDWARDS		Voucher Date 09/23/2008	
03-0123	01-5210-445-	OFFICE SUPPLIES SOLID WASTE		018452	POSTAGE	5.49
03-0123	01-5210-576-	SOLID WASTE TRAVEL		018452	TRIP TO FRANKFORT & RETURN 140 MI @ .49 A MILE	68.60
		Printed On Check 010655			Voucher Totals	74.09
Voucher No. 03-5143		Vendor GENEKEARNS	GENE KEARNS		Voucher Date 09/23/2008	
03-0123	01-5420-507-	TOURISM CONTRIBUTIONS		018448	TOURISM TRAVEL 176 MILES @ .49 A MILE	86.24
		Printed On Check 010656			Voucher Totals	86.24

Pendleton County Fiscal Court  
Voucher Claims Register

General Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No.	03-5144	Vendor	CORS	CORS & BASSETT ATTORNEYS	Voucher Date	09/23/2008
03-0123	01-9100-332-	LEGAL FEES		018441	HOST AGREEMENT NEGOTIATIONS	3,694.32
		Printed On Check	010657		Voucher Totals	3,694.32
					23 Vouchers Printed Totalling	7,519.57

Pendleton County Fiscal Court  
Voucher Claims Register

Road Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No.	03-5145	Vendor	JMC CONSUL	J.M. CRAWFORD & ASSOCIATES	Voucher Date	09/23/2008
03-0223	02-6105-312-	BRIDGES		023299	ENGINEERING SERVICES BRIDGE OVER BLANKET CREEK	25,000.00
		Printed On Check	005411		Voucher Totals	25,000.00
Voucher No.	03-5146	Vendor	HILLTOP	HILLTOP STONE LLC	Voucher Date	09/23/2008
03-0223	02-6105-409-	CRUSHED STONE & GRAVEL		023283	CRUSHED STONE & GRAVEL SEPT. 3-SEPT 18	1,793.50
		Printed On Check	005412		Voucher Totals	1,793.50
Voucher No.	03-5147	Vendor	MAGO	MAGO CONSTRUCTION CO, INC	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023289	BLACKTOP FOR DAVIS & BREWER ROADS	30,746.24
		Printed On Check	005413		Voucher Totals	30,746.24
Voucher No.	03-5148	Vendor	R&J AUTO T	AMMAR HUSAMI	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023300	REDO SEAT FOR CO. TRUCK (REPLACES CHECK #5398)	100.00
		Printed On Check	005414		Voucher Totals	100.00
Voucher No.	03-5149	Vendor	BOBSUMEREL	BOB SUMEREL TIRE CO.	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023297	ROAD MATERIALS	1,044.00
		Printed On Check	005415		Voucher Totals	1,044.00
Voucher No.	03-5150	Vendor	H&MTRUCK	HOWARD PYLES	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023287	ROAD MATERIALS	70.00
		Printed On Check	005416		Voucher Totals	70.00
Voucher No.	03-5151	Vendor	SCOTT-GRO	SCOTT-GROSS COMPANY, INC.	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023293	SMALL ACETYLENE CYLINDER RENTAL	27.88
		Printed On Check	005417		Voucher Totals	27.88
Voucher No.	03-5153	Vendor	FAB-N-WELD	FAB-N-WELD	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023291	RENTAL ON TRAILER 50 HOURS @ \$35.00	1,750.00
		Printed On Check	005418		Voucher Totals	1,750.00
Voucher No.	03-5154	Vendor	FIRE DEPT.	FALMOUTH VOLUNTEER FIRE DEPARTMENT	Voucher Date	09/23/2008
03-0223	02-6105-447-	ROAD MATERIALS		023286	FIRE EXTINGUISHER SAFETY CLASS	50.00
		Printed On Check	005419		Voucher Totals	50.00
					9 Vouchers Printed Totalling	60,583.62



Pendleton County Fiscal Court  
Voucher Claims Register

Jail Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No. 03-5155		Vendor BURLPHARMA	BURLINGTON PHARMACY		Voucher Date 09/23/2008	
03-0323	03-5101-549-	ROUTINE MEDICAL		031497	MEDICATION FOR INMATE J. ELSWICK	20.95
		Printed On Check 004751			Voucher Totals	20.95
Voucher No. 03-5156		Vendor JAILASSOC	KENTUCKY JAILERS ASSOCIATION		Voucher Date 09/23/2008	
03-0323	03-9100-569-	STAFF TRAINING		031498	2008 FALL CONFERENCE	125.00
		Printed On Check 004752			Voucher Totals	125.00
2 Vouchers Printed Totalling						145.95

Pendleton County Fiscal Court  
Voucher Claims Register

L.G.E.A. Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No. 03-5157		Vendor FALMOUTH	CITY OF FALMOUTH		Voucher Date 09/23/2008	
03-0323	04-5120-507-	FIRE DEPARTMENT CONTRIBUTIONS		041881	AUGUST FIRE RUNS	3,905.00
		Printed On Check 003137			Voucher Totals	3,905.00
Voucher No. 03-5158		Vendor BUTLER	CITY OF BUTLER		Voucher Date 09/23/2008	
03-0323	04-5120-507-	FIRE DEPARTMENT CONTRIBUTIONS		041887	BUTLER FIRE DEPARTMENT - 1ST QTR CONTRIBUTION	2,500.00
		Printed On Check 003138			Voucher Totals	2,500.00
Voucher No. 03-5159		Vendor CJS	CENTRAL JANITORIAL SUPPLY		Voucher Date 09/23/2008	
03-0323	04-5135-411-	CUSTODIAL SUPPLIES		041891	CUSTODIAL SUPPLIES	131.80
		Printed On Check 003139			Voucher Totals	131.80
Voucher No. 03-5160		Vendor SURPLUS	KENTUCKY STATE TREASURER		Voucher Date 09/23/2008	
03-0323	04-5135-445-	OFFICE SUPPLIES		041884	5 LAPTOP CASES - @ 10.00 EACH	50.00
		Printed On Check 003140			Voucher Totals	50.00
Voucher No. 03-5161		Vendor MODERN LEA	MODERN LEASING		Voucher Date 09/23/2008	
03-0323	04-5135-445-	OFFICE SUPPLIES		041888	1/2 COPIER LEASE	132.18
		Printed On Check 003141			Voucher Totals	132.18
Voucher No. 03-5162		Vendor BURGHARDT	BURGHARDT AMATEUR CENTER		Voucher Date 09/23/2008	
03-0323	04-5135-571-	RENEWALS AND REPAIRS		041867	REPAIRS TO HAM RADIO	230.00
		Printed On Check 003142			Voucher Totals	230.00
Voucher No. 03-5163		Vendor RECREATION	COMMUNITY RECREATION COMMISSION		Voucher Date 09/23/2008	
03-0323	04-5405-107-	RECREATION - SUPER/DIRECTOR		041886	SEPTEMBER 1/2 SALARY RECREATION DIRECTOR PER AGREEMENT	1,803.82
		Printed On Check 003143			Voucher Totals	1,803.82
Voucher No. 03-5164		Vendor RECREATION	COMMUNITY RECREATION COMMISSION		Voucher Date 09/23/2008	
03-0323	04-5405-333-	MAINTENANCE AGREEMENT GENERAL		041882	GROUNDSKEEPER SALARY REIMBURSEMENT	1,655.00
		Printed On Check 003146			Voucher Totals	1,655.00
Voucher No. 03-5165		Vendor JMKELECTRI	JMK ELECTRIC, LLC		Voucher Date 09/23/2008	
03-0323	04-5405-571-	RENEWALS & REPAIRS		041885	PARTS & LABOR TO REPAIR COIN OPERATOR @ TENNIS CR	447.00
		Printed On Check 003147			Voucher Totals	447.00
9 Vouchers Printed Totalling						10,854.80

Pendleton County Fiscal Court  
Voucher Claims Register

Ambulance Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
<b>Voucher No. 03-5166</b>						
		Vendor	PEND EMS	PENDLETON COUNTY EMS, INC	Voucher Date	09/23/2008
03-0923	09-5140-303-	AMBULANCE SERVICE		092322	OCTOBER AMBULANCE SERVICE PER CONTRACT	26,664.17
		Printed On Check	003534		Voucher Totals	26,664.17
<b>Voucher No. 03-5167</b>						
		Vendor	SCOTT-GRO	SCOTT-GROSS COMPANY, INC.	Voucher Date	09/23/2008
03-0923	09-5140-550-	MEDICAL SUPPLIES		092325	OXYGEN AND AUGUST CYLINDER RENTAL	504.30
		Printed On Check	003535		Voucher Totals	504.30
<b>Voucher No. 03-5168</b>						
		Vendor	DAVIDRICHI	DAVID RICHIE	Voucher Date	09/23/2008
03-0923	09-5140-571-	RENEWALS & REPAIRS		092324	PAINTING AT AMBULANCE QRTS	1,450.00
		Printed On Check	003536		Voucher Totals	1,450.00
<b>Voucher No. 03-5169</b>						
		Vendor	NORTON	TIM NORTON AUTO SERVICE L.L.C.	Voucher Date	09/23/2008
03-0923	09-5140-592-	MAINTENANCE & REPAIRS - VEHICLES		092321	LUBE OIL AND FILTER ON 2007 CHEVY	130.00
		Printed On Check	003537		Voucher Totals	130.00
<b>Voucher No. 03-5174</b>						
		Vendor	TRI-STATE	TRI-STATE STERLING TRUCKS, INC.	Voucher Date	09/23/2008
03-0923	09-5140-592-	MAINTENANCE & REPAIRS - VEHICLES		092326	FUEL TANK REPLACEMENT & BRAKE REPAIR	2,731.47
		Printed On Check	003538		Voucher Totals	2,731.47
5 Vouchers Printed Totalling						31,479.94

Pendleton County Fiscal Court  
Voucher Claims Register

911 Fund Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
<b>Voucher No. 03-5170</b>						
		Vendor	ST.ELIZBUS	ST. ELIZABETH BUSINESS HEALTH CENTER	Voucher Date	09/23/2008
03-7523	75-5145-382-	DRUG TESTING		751096	DRUG TEST TERESA RICK	39.00
		Printed On Check	001808		Voucher Totals	39.00
<b>Voucher No. 03-5171</b>						
		Vendor	MODERN LEA	MODERN LEASING	Voucher Date	09/23/2008
03-7523	75-5145-445-	911 OFFICE SUPPLIES		751097	1/2 COPIER LEASE	132.17
		Printed On Check	001809		Voucher Totals	132.17
<b>Voucher No. 03-5172</b>						
		Vendor	BUNNIES	THERESA PEOPLES / BUNNIES "N" SUCH	Voucher Date	09/23/2008
03-7523	75-5145-481-	911 STAFF UNIFORMS		751095	STAFF UNIFORMS	52.00
		Printed On Check	001810		Voucher Totals	52.00
3 Vouchers Printed Totalling						223.17

Pendleton County Fiscal Court  
Voucher Claims Register

MH/MR Fund Fund  
From: 09/23/2008 To: 09/23/2008

Batch	Account No.	Account Name	Invoice	P.O. No.	Claim Description	Amount
Voucher No.	03-5173	Vendor	LICKING VA	LICKING VALLEY COUNSELING CENTER	Voucher Date	09/23/2008
03-8823	88-5233-343-	GENERAL HEALTH - MH/MR		880105	AUGUST 2008 COUNSELING SESIONS PER AGREEMENT	2,333.33
		Printed On Check 000527			Voucher Totals	2,333.33
					1 Vouchers Printed Totalling	2,333.33

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In Re: Closing Remarks

Judge Bertram informed the Magistrates that Dr. Owen Collins will be retiring from the Planning Commission at the meeting to be held on September 29<sup>th</sup>, 2008 and he would like for as many Fiscal Court members to attend as possible.

All Magistrates had concerns regarding Black Top Issues.

Squire Wells said that he believes issues such as the one with the driveway discussed earlier in this meeting should probably go through the Board of Adjustments. This will be discussed at the next caucus meeting.

In Re: Adjournment

A motion was made by Squire Wells, seconded by Squire Whaley, carried, that this meeting be adjourned, to meet again in regular session on October 14, 2008 at 7:00 P.M., Subject to any call meetings.

\_\_\_\_\_  
Pendleton County Judge/Executive

ATTEST:\_\_\_\_\_  
Pendleton County Clerk